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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,082

07/08/2003

Tsuyoshi Abe

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8326

21171

7590

11/24/2004

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EXAMINER

WALSH, JOHN B

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/614,082

**Applicant(s)**

ABE ET AL.

**Examiner**

John B. Walsh

**Art Unit**

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-11 is/are allowed.
- 6) ☒ Claim(s) 1,6 and 12-15 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10202004</u> .                                                            | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Specification*

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 14 recites “means for applying a force to an ink pack” which does not have antecedent basis in the specification.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 6, 12, 13, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Publication No. 04098387.

A theft-prevention ink pack device, comprising: an ink pack (7), consisting of a bag containing ink, that placed inside a case having a front board (8) on which an ink spout is formed; a spring (6) that urges the ink pack and a knife edge (43) to close in on each other and applies pressure to the ink pack; the knife edge that tears the ink pack; and an engaging structure (44,41,5a) that is engaged to support a state in which the ink pack and the knife edge are spaced apart from each other, and is disengaged when an outer force is applied (abstract); wherein: the ink pack and the knife edge close in on each other by means of a spring force of the spring when

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the engaging structure is disengaged so that the ink pack is torn by the knife edge, and the ink pack is pressured, resulting in the ink shooting out from the ink spout (abstract).

As concerns claim 6, a treasure safe comprising: a box main body (1) in which the theft-prevention ink pack device as claimed in claim 1 is implemented; a door (3) that opens by being rotated; a locking device (L) that locks the door and is unlocked upon opening the door; a connecting structure (L3) that connects the door to the theft-prevention ink pack device; and a disconnecting structure (5B) for disconnecting the connection made by the connecting structure when the locking device is unlocked.

As concerns claim 12, applying a spring force (6; force transmitted through 43 to the ink pack) to an ink pack inside a cash box to cause the ink pack to contact a knife portion in the cash box, to thereby release ink from the ink pack into the cash box (abstract).

As concerns claim 13, wherein the spring force is applied to the ink pack when an external force is applied to the cash box, to thereby release the ink from the ink pack into the cash box and to contaminate contents of the cash box (abstract).

As concerns claim 14, means for applying a force (6; force transmitted through 43 to the ink pack) to an ink pack inside a cash box to cause the ink pack to contact a knife portion (7) in the cash box, to thereby release ink from the ink pack into the cash box (abstract).

As concerns claim 15, an ink pack comprising ink therein (7); a knife portion (43) to puncture the ink pack; and means for applying a force (6) to the ink pack to cause the ink pack to be punctured by the knife portion so that the ink is released into the cash box (abstract).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese

Publication No. 04098387.

Japanese Pub. '387 does not explicitly disclose the spring as a conical compression coil spring.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a conical compression coil spring, since such a modification is seen as an obvious design choice wherein it does not effect the operability of the invention, as compared to the spring shown in Jap. Pub. '387. Furthermore, the applicant has not indicated that such a feature is imperative to the patentable functionality of the invention.

***Allowable Subject Matter***

6. Claims 2, 3 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 7-11 are allowed.

8. The following is an examiner's statement of reasons for allowance: Japanese Pub '387, one of the most relevant prior art references, does not teach or disclose as claimed in detail,

particularly a spring member arranged between the pressboard and the back lid member in a compressed state; the tray member, the ink pack and the pressboard are moved to the front board portion by means of the spring member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Response to Arguments***

9. Applicant's arguments filed September 10, 2004 have been fully considered but they are not persuasive.

The applicant argues that Japanese Pub. '387 does not disclose a spring that urges the ink pack and knife edge to close in on each other and applies pressure to the ink pack. The examiner disagrees since figure 1 discloses a spring 6, an ink pack 7 and a knife edge 43. The spring urges the knife edge towards the ink pack which results in the ink pack and knife edge closing in on each other, since the distance between the two components is decreasing. The spring also applies pressure to the ink pack, since the pressure of the spring is transmitted to 44 and 43 which is then applied to the ink pack 7.

As concerns the applicant's arguments regarding the abstract of Japanese Pub. '387, the examiner has not solely relied on the abstract, but also on the drawings to disclose the applicant's claimed invention. The applicant has not noted any particular deficient fact contained in the abstract wherein a translation would be required to glean any additional information, when the

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drawings and abstract are already sufficient at the present time for understanding and applying to the applicant's claims.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

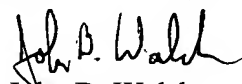
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Friday from 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John B. Walsh  
Primary Examiner  
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